

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1241 - HB 1150

March 3, 2013

SUMMARY OF BILL: Prohibits public and certain private higher education institutions from employing or commissioning campus police officers unless such institutions adopt policies that: do not discriminate against, deny recognition to, or deny a student organization access to programs, funding, or facilities to which they would otherwise be entitled, on the basis of the religious content of the organization's speech; and do not prohibit a religious student organization from determining that only individuals professing the faith of the group and comporting themselves accordingly may serve as members or leaders.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – To the extent any private college or university, that operates a campus police force, elects not to adopt the policies required in this bill, the recurring increases in local government revenue and expenditures are reasonably estimated to exceed \$10,000 and \$100,000* respectively. Any such recurring increase in local government expenditures is considered mandatory because such costs will be imposed on the applicable local government entity based on the election decision of the private college or university. Otherwise, any fiscal impact to state or local government is considered not significant.

Assumptions:

- Public higher education institutions will adopt this policy and continue to operate their campus police and security forces; as a result no fiscal impact to state government.
- The local government impact of this bill is dependent upon whether private colleges and universities decide to adopt the policies required in this bill.
- For private colleges and universities that adopt the policies required of this bill, there would be no fiscal impact to local government.
- However, for those private colleges and universities that elect not to adopt the policies required of this bill, there will be a significant increase in local government expenditures. This will occur because the respective local law enforcement agency having jurisdiction over the location of the private college or university will have to expand law enforcement activities onto the applicable campus.
- Any such increase in local government expenditures will be based on multiple unknown factors, including but not limited to, the number of private colleges and universities that elect not to adopt the policies required by the bill that also operate a campus police force

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pursuant to Tenn. Code Ann. § 49-7-118, the geographical jurisdiction of such private college or university, the number of service calls that the respective campus police department typically handles under current law, and the additional resources required of any local law enforcement agency that will be required to assume law enforcement responsibilities after the campus police department no longer exists.

- Given the extent of unknown factors, determining a precise impact for local government expenditures is difficult. However, for those private colleges and universities that choose not to adopt the policies required in this bill, the recurring mandatory increase in expenditures for the respective local government entity is reasonably estimated to exceed \$100,000 per year.
- For local government entities that are required to assume law enforcement responsibilities on the campuses of private colleges and universities not adopting the policies required in this bill, there could be a recurring increase in fine revenue as a result of an additional number of citations. Any increase in local government revenue is also unknown and dependent upon unknown factors previously mentioned. However, the recurring increase in local revenue is reasonably estimated to exceed \$10,000 per year.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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